

EXHIBIT 4

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April 22, 2014

VIA E-MAIL

Anne Nardacci, Esq.
Boies, Schiller & Flexner LLP
10 North Pearl Street, 4th Floor
Albany, NY 12207

Re: *In re: Cathode Ray Tube (CRT) Antitrust Litigation*, 3:12-cv-0648 SC, MDL No. 1917
(N.D. Cal.): April 22, 2014 Meet-and-Confer Call Regarding the January 27, 2014
Discovery Responses of P.C. Richard, ABC Warehouse, and MARTA

Dear Ms. Nardacci:

I write to memorialize our meet-and-confer call today regarding the respective objections and responses of P.C. Richard, ABC Warehouse, and MARTA (collectively, the “P.C. Richard Plaintiffs”) to (1) Toshiba America Information Systems, Inc.’s First Set of Interrogatories and Philips Electronics North America Corporation’s Third Set of Interrogatories, (2) Toshiba America Information Systems, Inc.’s First Set of Requests for Production of Documents and Philips Electronics North America Corporation’s Second Set of Requests for Production of Documents, and (3) Toshiba America Information Systems, Inc.’s and Philips Electronics North America Corporation’s First Set of Requests for Admission. During the call, we discussed the following issues:

I. Responses to Certain Interrogatories

As I had in my February 28, 2014 letters to Robert Tietjen, I noted that each of the P.C. Richard Plaintiffs provided only objections to Interrogatory Nos. 1, 2, and 9, and I inquired as to when we could expect them to provide substantive responses. You requested that we give the P.C. Richard Plaintiffs until mid-June. Given that we served these interrogatories on December 23, 2013, I said that the P.C. Richard Plaintiffs have had more than enough time to provide substantive responses to these requests based on their present knowledge. I also reminded you that the ability to supplement discovery responses is embedded in Rule 26 of the Federal Rules of Civil Procedure if, after additional depositions occur, the P.C. Richard Plaintiffs learn that their responses are incomplete. I suggested that the P.C. Richard Plaintiffs should provide

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substantive responses to these interrogatories within two weeks, *i.e.*, by May 6, 2014. In response, you stated that you will let me know by Friday, April 25, 2014, as to when you will respond to Interrogatory Nos. 1, 2, and 9.

Regarding Interrogatory Nos. 4 and 6, you stated that the references to “OEMs” and “other suppliers” in paragraphs 17 and 20 of the Amended Complaint refer only to the P.C. Richard Plaintiffs’ indirect claims. You further explained that the P.C. Richard Plaintiffs were not alleging that any defendant, co-conspirator, or P.C. Richard Plaintiff had an “ownership or control” relationship with the “OEMs” or “other suppliers” referenced in paragraphs 17 and 20 of the Amended Complaint. Finally, you agreed to supplement the P.C. Richard Plaintiffs’ responses to Interrogatory Nos. 4 and 6 by May 9, 2014, in which you will clarify that any purchases from “OEMs” or “other suppliers” are indirect purchases from entities which are not owned or controlled by any defendant, co-conspirator, or plaintiff.

Regarding the P.C. Richard Plaintiffs’ responses to Interrogatory Nos. 7 and 8, we agreed that no supplemental responses are necessary at this time.

II. Responses to Certain Requests for Production of Documents

Regarding Request No. 2, you stated that you do not believe that any of the P.C. Richard Plaintiffs have documents responsive to this request; however, you needed to confirm your understanding. You agreed that, by May 9, 2014, you would either produce all documents responsive to Request No. 2 or confirm that the P.C. Richard Plaintiffs have no such documents.

Regarding Request No. 3, you stated that you do not agree with the authority from the *LCD* matter to which I cited in my February 28, 2014 letters to Robert Tietjen. As you concede, those two decisions — from Special Master Quinn and Judge Illston — support our position that settlement agreements are discoverable at this stage of the litigation. Although you provided no authority to the contrary, you stated that the P.C. Richard Plaintiffs are standing on their objections to Request No. 3. We agreed that we are at an impasse on this issue.

III. Responses to Certain Requests for Admission

Regarding Request for Admission Nos. 15, 16, 32-34, 89, 90, 96-99, 100-103, 105-108, 110-117, 128-131, 145, 150, 151, 161, and 162, you agreed to review the P.C. Richard Plaintiffs’ responses and comply with Rule 36 by either admitting or specifically denying these requests. You agreed to serve amended responses to these Requests for Admission by May 9, 2014.

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Please let me know if this letter does not accurately reflect our agreement.

Sincerely,



Dana E. Foster

cc: Philip J. Iovieno, Esq.
Kyle Smith, Esq.
Charles Malaise, Esq.